

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Scholz Design, Inc.

V.

Kevin Maher, Blanchard Gate, LLC, MBC
Contractors, Inc. and Eric Knute OsbornRECEIVED
U.S. DISTRICT COURT
NEW YORK, NY
JAN 8 2008
SUMMONS IN A CIVIL ACTION

CASE NUMBER:

'07 CIV 11045

JUDGE CONNER

TO: (Name and address of Defendant)

Kevin Maher, 28 Zachary Taylor, Stony Point, NY 10980
 Blanchard Gate, LLC, 20 Squadron Blvd., Suite 270, New City, NY 10956
 MBC Contractors, Inc. c/o Patrick J. Magee, 27 Old Gate Hill Ave., Stony
 Point, NY 10980
 Eric Knute Osborn, 7 Joyce Plaza, Stony Point, NY 10980

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Frank J. Ciano, Esq.
 Michael D. Shalhoub, Esq.
 Goldberg Segalla LLP
 170 Hamilton Avenue
 Suite 203
 White Plains, NY 10601

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

DEC - 5 2007

J. Michael McMahon

CLERK

CLERK

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	DECEMBER 18, 2007
NAME OF SERVER (PRINT) Frank Marcella	TITLE	PROCESS SERVER
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <i>7 Rocke Plaza, Stony-point, New York 10980 (ERIC KNUTE OSBORN).</i>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: 		
<input type="checkbox"/> Returned unexecuted: 		
<input type="checkbox"/> Other (specify): 		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>DECEMBER 18, 2007</u> Date	<u>J. Marcella</u> Signature of Server	
<u>1070 WISCONSIN AVENUE NO 10</u> <u>STONY POINT, NEW YORK 10984</u> Address of Server		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.